

**AMENDMENT TRANSMITTAL LETTER (Large Entity)**Applicant(s): **Chee et al.**

Docket No.

**3028.1**

Serial No.

**08/856,376**

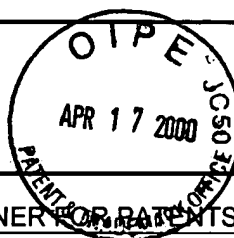
Filing Date

**05/14/1997**

Examiner

**A. Marschel**

Group Art Unit

**1655**Invention: **Polymorphisms in Human Mitochondrial DNA****TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	10 -	20 =	0 x	\$22.00	\$0.00
INDEP. CLAIMS	4 -	4 =	0 x	\$82.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.
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- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

*Ellen Gonzales*  
Signature

Dated: **4/12/2000**

Ellen Gonzales Reg No. 44,128

**Affymetrix, Inc.**  
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I certify that this document and fee is being deposited on 04/12/2000 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Ellen Gonzales*  
Signature of Person Mailing Correspondence

**Ellen Gonzales**

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Assistant Commissioner for Patents  
Washington, D.C. 20231

On 4/12/00

AFFYMETRIX, INC.

By: Ellen Goyals



PATENT  
Attorney Docket No.: 3028.1

A-7  
Plunkett  
4/21/00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Chee et al.

Application No.: 08/856,376

Filed: May 14, 1997

For: POLYMORPHISMS IN HUMAN  
MITOCHONDRIAL DNA

Examiner: A. Marschel

Art Unit: 1655

RESPONSE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed October 12, 1999, applicant's hereby submit the following response.

Remarks

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker et al. (P/N 5,760,205). Applicants respectfully traverse this rejection. Parker et al. is directed towards several specific polymorphisms in the COX genes of mitochondrial DNA which are associated with Alzheimer's disease. Applicant's submit that none of the mutations disclosed in Parker et al. are claimed in the current application. In all, Parker et al disclose a total of 15 specific polymorphisms and disclose the codon location of two others. None of these specific mutations are claimed in the instant invention. Applicants submit table II which correlates the polymorphisms disclosed in Parker et al with the base numbering system used in the currently